### IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS BROWNSVILLE DIVISION

STATE OF TEXAS, et al.,	) )
Plaintiffs,	) )
v.	No. 1:14-cv-254-ASH
UNITED STATES OF AMERICA, et al.,	) )
Defendants.	) ) )

# <u>DEFENDANTS' MOTION TO STAY MAY 19, 2016 ORDER PENDING FURTHER</u> REVIEW

Defendants respectfully move for a stay of the Court's May 19, 2016, Memorandum Opinion and Order [ECF No. 347] pending further review, whether by appeal, mandamus, or both. The grounds for this motion are set forth in the accompanying memorandum, the declaration of Lee J. Lofthus, and the declaration of León Rodríguez.

Pursuant to Local Rule 7.1(D), Defendants aver that their counsel conferred with counsel for Plaintiffs, and the parties cannot agree about the disposition of the motion. Defendants' counsel conferred with counsel for the Intervenors, who do not oppose this motion.

A proposed order is attached in accordance with Local Rule 7.2.

Date: May 31, 2016

Respectfully submitted,

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#### /s/ James J. Gilligan

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Counsel for Defendants

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Defendants' Motion to Stay May 19, 2016 Order Pending Further Review, with attachments, has been delivered electronically on May 31, 2016, to all counsel of record through the Court's ECF system.

/s/ James J. Gilligan
Counsel for Defendants